

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

THOMAS MCMILLAN,

Plaintiff,

VS.

MICHAEL J. ASTRUE,

Defendant.

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NO. 5:11-CV-413 (CAR)

SOCIAL SECURITY APPEAL

RECOMMENDATION

THIS MATTER is before the Court upon the unopposed motion of Defendant to remand this case to the Commissioner for further action under sentence four of 42 U.S.C. § 405(g). Doc. 11. Upon consideration of the motion, it is **RECOMMENDED** that the decision of the Commissioner be **REVERSED** under sentence four of 42 U.S.C. § 405(g) and that this case be **REMANDED** to the Commissioner of Social Security for the Administrative Law Judge to:

- further evaluate the treating and examining source opinions, state with particularity the weight given to each opinion, and explain the weight given to each opinion;
- further evaluate, with Vocational Expert (VE) testimony if necessary, whether Plaintiff can perform his past relevant work in accordance with SSR 82-62 and all other applicable laws and regulations, and
- if necessary, obtain VE testimony to determine whether Plaintiff can perform other jobs that exist in significant numbers in the national economy.

The Clerk of Court is hereby directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure. Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve

and file written objections to this Recommendation with the district judge to whom this case is assigned WITHIN FOURTEEN (14) DAYS after being served with a copy thereof.

SO RECOMMENDED, this 3rd day of April, 2012.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge